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**FILED VIA ECF**

October 17, 2014

The Honorable Sandra J. Feuerstein  
Unites States District Court, EDNY  
Alphonse M. D'Amato Federal Building  
100 Federal Plaza  
Central Islip, NY 11722-4454

Re: **USA v. Justin Kaliebe**  
CR 13-0072 (SJF)

Your Honor:

Please recall that I represent defendant Justin Kaliebe in the above matter. Mr. Kaliebe's sentencing hearing is scheduled for Monday, October 27, 2014 at 10:00 am. Kindly accept this request for a final adjournment for the following reasons.

The government, for the first time in their sentencing memorandum, reference numerous recorded conversations and emails with the undercover agent to attempt to belay the defendant's argument that Justin was courted, prompted and guided by the agents throughout their terrorism investigation.

Since receiving the government's memorandum on September 8, 2014, the defense has undertaken the enormous task of reviewing every recording involved in this two year investigation to counter and challenge the government's arguments. We have spent seven days a week, some days for over twelve hours, reviewing this material. At this time, approximately half of the recordings have been reviewed.

Our review has identified missing and inaudible recordings that I have brought to the governments attention. They have responded to my requests and have provided me with new copies that I will pick up promptly on Monday morning, October 20<sup>th</sup>.

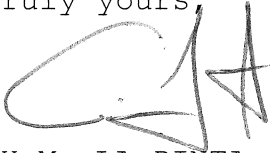
While I understand the governments desire to move this sentencing hearing along as expeditiously as possible, I will not compromise Justin's defense in doing so. I am in need of an

adjournment. Due to my upcoming trial, USA v. Valerio, scheduled to begin on November 3, 2014 before Judge Bianco, and the need to complete the review of the recordings, kindly accept this specific request to reschedule this sentencing hearing to either December 22, 23, 29 or 30 at 10:00 a.m.

In light of the serious and complicated nature of this case and the volume of discovery involved, I believe that this request is both necessary and reasonable. The government neither joins nor consents to this application.

Thank you for your attention to this matter. Please contact me if you are in need of anything further to accommodate this request.

Very truly yours,

A handwritten signature in black ink, appearing to read 'A. M. La Pinta', with a stylized, looped initial 'A'.

ANTHONY M. LA PINTA

AML:mm

cc: John Durham, Esq. (via ECF)